IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No.54548-M of 2006

DATE OF DECISION:30.10.2006

Ravinder Jain .....Petitioner

Versus

U.T., Chandigarh .....Respondent

CORAM:- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present:- Shri Sanjiv Gupta, Advocate
for the petitioner.

Shri Rajiv Sharma, Advocate
for U.T., Chandigarh.

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Petitioner Ravinder Jain apprehending his arrest in a non-bailable offence in case FIR No. 108 dated 16.5.2003 under Sections 120-B/420/467/468/471 IPC, registered at Police Station Sector 19, Chandigarh has filed this petition under Section 438 Cr.P.C. for anticipatory bail.

I have heard counsel for the parties and gone through the contents of the FIR.

Counsel for the petitioner contends that in this case, the petitioner was on regular bail and he was regularly appearing, but on 4.7.2006, he was ill and he requested his counsel to file application for exemption from personal appearance on the ground of his illness. The said application was declined by the trial Court on the ground that in another case, petitioner is proclaimed offender and thereafter cancelled his bail bonds and summoned him through non-bailable warrants. It is the case of the petitioner that he was not aware of the fact that he has been declared proclaimed offender in the other case.

Counsel for the petitioner contends that in view of the order dated 8.9.2006, the petitioner has appeared before the trial Court on 18.10.2006 and furnished his regular bail bonds, which have been accepted

and attested and since then he is regularly appearing in the aforesaid case before the trial Court. This fact has not been disputed by the counsel for U.T., Chandigarh

In view of the above, without expressing anything on the merits of the case, the interim bail, granted vide order dated 8.9.2006 is made absolute.

Disposed of accordingly.

October 30, 2006 **(SATISH KUMAR MITTAL)**
pooja **JUDGE**